MINUTES OF A MEETING OF THE COUNCIL held at the Guildhall Portsmouth on Tuesday, 13 February 2024 at 2.00 pm

Council Members Present

The Right Worshipful The Lord Mayor Councillor Tom Coles (in the Chair)

Councillors

Dave Ashmore Abdul Kadir Matthew Atkins Leo Madden Chris Attwell Brian Madawick George Madgwick Kimberly Barrett Simon Bosher Hugh Mason Ryan Brent Kirsty Mellor Stuart Brown Leonie Oliver Peter Candlish Steve Pitt Cal Corkery **Darren Sanders** Raymond Dent Asghar Shah Chris Dike Russell Simpson Jason Fazackarley John Smith George Fielding Judith Smyth Charlotte Gerada **Emily Strudwick** Benedict Swann Lewis Gosling Mary Vallely Graham Heaney Gerald Vernon-Jackson CBE Ian Holder Suzy Horton Daniel Wemyss Lee Hunt Matthew Winnington

1. Declaration of Members' Interests

Mark Jeffery

Councillor	Minute Number	Nature of Interest
Cllr George Madgwick*	7	Personal & Prejudicial
Cllr Emily Strudwick*	7	Personal & Prejudicial

^{*}Cllr George Madgwick and Cllr Emily Sytrudwick left the meeting during the consideration and voting on this item.

2. To approve as a correct record the Minutes of 12 December 2023

It was

Proposed by Councillor Steve Pitt

Seconded by Councillor Simon Bosher

That the minutes of the extraordinary Council meeting held on 12 December 2023 be confirmed as a correct record.

These were agreed by assent.

It was

Proposed by Councillor Steve Pitt Seconded by Councillor Simon Bosher

That the minutes of the ordinary Council meeting held on 12 December 2023 be confirmed as a correct record.

These were agreed by assent.

3. Apologies for Absence and to receive such communications as the Lord Mayor may desire to lay before the Council

Apologies for absence had been received from Councillor Yinka Adeniran and Councillor Hannah Brent.

The Lord Mayor introduced Mr Kamoda Akitsu, Mayor, and Mr Ueba Kazuyuk, Chairman, of Maizuru, Portsmouth's sister city in Japan to the meeting.

Mr Akitsu and Mr Kazuyuk were part of a delegation visiting Portsmouth and at the invitation of the Lord Mayor addressed the Council.

At the invitation of the Lord Mayor the Leader of the Council, Councillor Steve Pitt, replied on behalf of the Council.

4. Deputations from the Public under Standing Order No 24.

The Lord Mayor advised that no deputation requests had been received for this meeting.

5. Appointments

RESOLVED that the following appointments be AGREED:

Councillor Darren Sanders as a member of the Planning Committee.

Councillor Darren Sanders as Vice-Chair of the Planning Committee.

RESOLVED that the following appointment be NOTED:

Councillor Graham Heaney as the Labour Group Spokesperson for the Resources Portfolio.

6. Urgent Business - To receive and consider any urgent and important business from Members of the Cabinet in accordance with Standing Order No 26.

The Lord Mayor advised that he had not been made aware of any urgent business for this meeting.

7. Council Tax Premiums on Second Homes and Empty Properties

Councillor George Madgwick and Councillor Emily Strudwick left the room in accordance with their previous declarations of interest.

Council Agenda Item 7 (Cabinet minute 19)

This minute was opposed by Councillor Simon Bosher to allow debate.

It was therefore

Proposed by Councillor Steve Pitt Seconded by Councillor Suzy Horton

That the recommendations contained Cabinet Minute 19, Council Tax Premiums on Second Homes and Empty Properties be approved.

Council voted on the recommendations.

Following a vote it was RESOLVED that:

- (i) a 100% premium for second homes be implemented which will be effective from 01 April 2025, the earliest opportunity for the Council to introduce this change; and
- (ii) a 100% premium be implemented for properties that have been empty and unfurnished for a period between 1 and 5 years. This will change the current policy of charging a 100% premium where a property is empty and unfurnished for a period between 2 and 5 years.

Councillor George Madgwick and Councillor Emily Strudwick rejoined the meeting.

8. Portsmouth City Council - Budget & Council Tax 2024/25 & Medium Term Budget Forecast 2025/26 to 2027/28

The Lord Mayor advised that the recommendations from the Cabinet meeting had previously been circulated and reminded councillors that the speaking time limit did not apply to group leaders on budget items.

The Lord Mayor then called Cabinet Minute 20, PCC Portsmouth City Council Budget & Council Tax 2024/2025 & Medium Term Budget Forecast 2025/26 to 2027/28.

This minute was opposed by Councillor Simon Bosher.

It was therefore

Proposed by Councillor Steve Pitt Seconded by Councillor Suzy Horton

That the recommendations contained Cabinet Minute 20, PCC Portsmouth City Council Budget & Council Tax 2024/2025 & Medium Term Budget Forecast 2025/26 to 2027/28 be approved.

The Lord Mayor invited the Leader of the Council, Councillor Steve Pitt, to speak to the Cabinet budget recommendations.

Councillor Pitt spoke to the administration's budget proposals and commended them to council. He detailed the priorities that the budget would support in the coming year and explained that he had been happy to incorporate the wishes of the Portsmouth Independent Party Group and the Labour Group into the recommendations. In respect of the latter, the Leader explained that these would be made within adjustments to portfolio allocations and therefore did not in themselves require an amendment to be moved.

Councillor Simon Bosher (Conservative Group Leader) spoke in reply.

As an amendment it was

Proposed by Councillor Simon Bosher Seconded by Councillor Lewis Gosling

That the recommendations set out in Appendix 1 attached to these minutes (Conservative Group budget amendment) be adopted.

Councillor Bosher spoke to his group's proposed budget amendment and commended the amendment to Council.

Councillor Charlotte Gerada (Labour Group Leader) then spoke in reply and thanked the Leader for incorporating the requests of the Labour Group into the budget proposal. The Labour Group did not therefore have an amendment to table.

Councillor George Madgwick (Portsmouth Independent Party Group Leader) then spoke in reply and confirmed that there were no amendments to be tabled from his group.

Councillor Cal Corkery (Portsmouth Community Independents Group Leader) then spoke in reply and confirmed that there were no amendments to be tabled from his group.

As an amendment it was

Proposed by Councillor Matthew Atkins Seconded by Councillor Ryan Brent

That the recommendations set out in Appendix 2 attached to these minutes be adopted.

Councillor Atkins then spoke to his proposed budget amendment and commended the amendment to Council.

Following debate, the Lord Mayor called upon the Leader of the Council to sum up, which he duly did.

In closing, the Leader of the Council confirmed that he did not wish to subsume the Conservative Group amendment in the name of Councillor Bosher or the amendment in the name of Councillor Atkins into the recommendation.

The Lord Mayor reminded councillors that all votes on the budget would be by recorded to comply the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.

Council voted in turn on the Conservative Group amendment and the amendment in the name of Councillor Atkins.

Upon the Conservative Group amendment standing in the name of Councillor Simon Bosher on the Portsmouth City Council Portsmouth City Council Budget & Council Tax 2024/2025 & Medium Term Budget Forecast 2025/26 to 2027/28 being put to the vote:

The following members voted in favour

Councillor Simon Bosher
Councillor Raymond Dent
Councillor Brian Madgwick
Councillor Russell Simpson
Councillor Emily Strudwick
Councillor Daniel Wemyss

The following members voted against

Councillor Dave Ashmore	Councillor Chris Attwell
Councillor Kimberly Barrett	Councillor Stuart Brown
Councillor Peter Candlish	Councillor Cal Corkery
Councillor Jason Fazackarley	Councillor George Fielding
Councillor Charlotte Gerada	Councillor Graham Heaney
Councillor Ian Holder	Councillor Suzy Horton
Councillor Lee Hunt	Councillor Mark Jeffery
Councillor Abdul Kadir	Councillor Leo Madden

Councillor Hugh Mason Councillor Kirsty Mellor Councillor Leonie Oliver Councillor Steve Pitt Councillor Darren Sanders Councillor Judith Smyth Councillor Mary Vallely

Councillor Gerald Vernon-Jackson Councillor Matthew Winnington

The following member abstained from voting

Councillor Tom Coles (Lord Mayor).

The Conservative Group amendment was therefore declared **LOST**.

Upon the amendment standing in the name of Councillor Matthew Atkins on the Portsmouth City Council Portsmouth City Council Budget & Council Tax 2024/2025 & Medium Term Budget Forecast 2025/26 to 2027/28 being put to the vote:

The following members voted in favour

Councillor Matthew Atkins Councillor Ryan Brent

The following members voted against

Councillor Dave Ashmore Councillor Chris Attwell Councillor Kimberly Barrett Councillor Stuart Brown Councillor Peter Candlish Councillor Cal Corkery Councillor Jason Fazackarley Councillor George Fielding Councillor Charlotte Gerada Councillor Graham Heaney Councillor Ian Holder Councillor Suzy Horton Councillor Mark Jeffery Councillor Lee Hunt Councillor Abdul Kadir Councillor Leo Madden Councillor Hugh Mason Councillor Kirsty Mellor Councillor Leonie Oliver Councillor Steve Pitt Councillor Darren Sanders Councillor Asghar Shah Councillor Mary Vallely Councillor Judith Smyth

Councillor Gerald Vernon-Jackson Councillor Matthew Winnington

The following members abstained from voting

Councillor Simon Bosher
Councillor Raymond Dent
Councillor Brian Madgwick
Councillor Emily Strudwick
Councillor Benedict Swann

Councillor Tom Coles (Lord Mayor)
Councillor Lewis Gosling
Councillor George Madgwick
Councillor John Smith
Councillor Daniel Wemyss

Upon the original recommendations in Cabinet minute 20 - PCC Portsmouth City Council Budget & Council Tax 2024/2025 & Medium Term Budget Forecast 2025/26 to 2027/28 being put to the vote:

The following members voted in favour

Councillor Dave Ashmore Councillor Chris Attwell Councillor Kimberly Barrett Councillor Stuart Brown Councillor Peter Candlish Councillor Cal Corkery Councillor Raymond Dent Councillor Jason Fazackarley Councillor George Fielding Councillor Charlotte Gerada Councillor Graham Heaney Councillor Ian Holder Councillor Suzy Horton Councillor Lee Hunt Councillor Mark Jeffery Councillor Abdul Kadir Councillor Leo Madden Councillor Hugh Mason Councillor George Madgwick Councillor Brian Madawick Councillor Kirsty Mellor Councillor Leonie Oliver Councillor Steve Pitt Councillor Darren Sanders Councillor Asghar Shah Councillor Russell Simpson Councillor Emily Strudwick Councillor Judith Smyth Councillor Gerald Vernon Jackson Councillor Mary Vallely Councillor Matthew Winnington

The following members voted against

Councillor Matthew Atkins
Councillor Ryan Brent
Councillor John Smith
Councillor Daniel Wemyss

Councillor Simon Bosher
Councillor Lewis Gosling
Councillor Benedict Swann

The following member abstained from voting

Councillor Tom Coles (Lord Mayor).

The Cabinet recommendations in Cabinet minute 20, were therefore APPROVED and declared **CARRIED**.

It was therefore **RESOLVED**:

3.1 That the following be approved in respect of the Council's Budget:

- 1) The revised Revenue Estimates for the financial year 2023/24 and the Revenue Estimates for the financial year 2024/25 as set out in the General Fund Summary (Appendix A)
- 2) The Portfolio Cash Limits for the Revised Budget for 2023/24 and the Budget 2024/25 incorporating the savings amounts for each Portfolio and amounting to £2.0m as set out in Sections 7 and 11, respectively
- 3) To maintain the overall financial resilience of the Council, any underspendings arising at the year-end (outside of those made by Portfolios) be transferred either to Capital Resources to fund future Capital Programmes, the MTRS Reserve or

- General Reserves with the level of each transfer to be determined by the S.151 Officer
- 4) Any variation to the Council's funding arising from the final Local Government Finance Settlement be accommodated by a transfer to or from General Reserves
- 5) The S.151 Officer be given delegated authority to make any necessary adjustments to Cash Limits within the overall approved Budget and Budget Forecasts
- 6) That the level of Council Tax be increased by 2.99% for general purposes in accordance with the referendum threshold^[1] for 2024/25 announced by Government (as calculated in recommendation 3.4 (d))
- 7) That the level of Council Tax be increased by a further 2.0% beyond the referendum threshold (as calculated in recommendation 3.4 (d)) to take advantage of the flexibility offered by Government to implement a "Social Care Precept", and that in accordance with the conditions of that flexibility, the full amount of the associated sum generated of £1,922,600 is passported direct to Adult Social Care
- 8) Managers be authorised to incur routine expenditure against the Cash Limits for 2024/25 as set out in Section 11
- 9) That a minimum savings requirement of £1m for 2025/26 be set at this stage but that this is kept under review, pending any significant impact on the Council's future Forecast that may arise during 2024/25
- 10) That the S.151 Officer be given delegated authority to make transfers to and from reserves in order to ensure that they are maintained as necessary and in particular, adjusted when reserves are no longer required or need to be replenished
- 11) The minimum level of General Reserves as at 31 March 2025 be maintained at £10.0m to reflect the known and expected budget and financial risks to the Council
- 12) The Revised Capital Programme 2023/24 to 2028/29 attached at Appendix E which includes all additions, deletions and amendments for slippage and re-phasing
- 13) The S.151 Officer be given delegated authority to determine how each source of finance is used to fund the overall Capital Programme and to alter the overall mix of financing, as necessary, to maximise the flexibility of capital resources used and minimise the ongoing costs of borrowing to the Council
- 14) That the S.151 Officer in consultation with the Leader of the Council be given delegated authority to release capital resources held back for any contingent items that might arise, and also for any match funding requirements that may be required of the City Council in order to secure additional

- external capital funding (e.g. bids for funding from Government or any other external source)
- 15) Subject to a satisfactory financial appraisal approved by the Director of Finance and Resources & S.151 Officer, the schemes described in Appendix D be reflected within the recommended Capital Programme 2023/24 to 2028/29
- 16) Subject to a satisfactory financial appraisal approved by the Director of Finance and Resources & S.151 Officer, that delegated authority to borrow up to £15m per year be granted in order that the Council can enter into transactions in an efficient and timely fashion and avoid the risk of lost opportunities which may be of a time critical nature
- 17) The Prudential Indicators described set out in Appendix F be approved
- 18) Members have had regard for the Statement of the S.151 Officer in accordance with the Local Government Act 2003 as set out in Section 16.
- 3.2 That the following be noted in respect of the Council's Revenue Budget and Capital Programme:
 - 1) The Revenue Estimates 2024/25 as set out in Appendix A have been prepared on the basis of a 2.0% tax increase for the "Social Care Precept" (amounting to £1,922,600) and that this is passported to Adult Social Care in order to provide for otherwise unfunded budget pressures including the current underlying budget deficit, the cost of the National Living Wage and demographic pressures arising from a "living longer" population
 - 2) The decision on the amount at which to set the Adult Social Care precept will be critical for the Social Care and wider health system in the City; in the event that the additional flexibility of the "Social Care Precept" and associated 2.0% tax increase is not taken, then equivalent savings will need to be made in Adult Social Care in 2024/25
 - 3) In general, any reduction to the proposed increase in the level of Council Tax for 2024/25 will require equivalent offsetting savings to be made in order for the Budget 2024/25 to be approved. Each 1% reduction requires additional savings of £961,300 to be made
 - 4) The indicative savings proposals set out in Appendix C which are provided for the purpose of demonstrating to the Council that the Portfolio savings as recommended in paragraph 3.1 2) above, are robust and deliverable
 - 5) The likely impact of savings as set out in Appendix C
 - 6) That the responsibility of the Council is to approve the overall Budget and the associated cash limits of its Portfolios and Committees; it is not the responsibility of the Council to

- approve any individual savings within those Portfolios / Committees
- 7) That it is the responsibility of the individual Portfolio Holders (not Full Council) to approve the individual savings proposals and the Portfolio Holder can therefore, in response to any consultation, alter, amend or substitute any of the indicative savings proposal(s) set out in Appendix C with alternative proposal(s) amounting to the same value within their Portfolio
- 8) Managers will commence the implementation of the approved savings required and any necessary consultation process or notice process
- 9) The Revenue Forecast for 2025/26 to 2027/28 as set out in Section 12 and Appendix B
- 10) That, at this stage, the Council's Future Forecast for the 3 Year Period 2025/26 to 2027/28 is estimated to be a £3m Deficit; this is the Council's "central base case scenario" but due to the uncertainty associated with inflation, unavoidable cost pressures that may arise (particularly in Care Services), business rate appeals arising from the 2023/24 revaluation and the forthcoming overhaul of Local Government Funding, this could vary by +/- £5m
- 11) The MTRS Reserve held to fund the upfront costs associated with Spend to Save Schemes, Invest to Save Schemes and redundancies will hold an uncommitted balance of £7.3m and will only be replenished in future from an approval to the transfer of any underspends, contributions from the Revenue Budget or transfers from other reserves which may no longer be required
- 12) The Council's share of the Council Tax element of the Collection Fund surplus for 2023/24 is estimated to be £2,357,452
- 13) The Council's share of the Business Rate element of the Collection Fund surplus for 2023/24 is estimated to be £5,021,116
- 14) The Retained Business Rate income^[2] for 2024/25 is based on the estimated Business Rate element of the Collection Fund surplus as at March 2024, the Non Domestic Rates poundage for 2024/25 and estimated rateable values for 2024/25 and has been determined at £70,907,151
- 15) That Cabinet Members, in consultation with the S.151 Officer, have authority to vary Capital Schemes and their associated funding within or across Portfolios in order to manage any potential overspending or funding shortfall or to respond to emerging priorities
- 16) That Cabinet Members, in consultation with the S.151 Officer, have authority to vire funding between Portfolios (both Revenue and Capital Budgets) in order to manage any

- potential overspending or funding shortfall or to respond to emerging priorities
- 17) The City Council note that Prudential Borrowing can only be used as a source of capital finance for Invest to Save Schemes.
- 3.3 That the S.151 Officer has determined that the Council Tax base for the financial year 2024/25 will be 58,299.40 [item T in the formula in Section 31 B(1) of the Local Government Finance Act 1992, as amended (the "Act")].
- 3.4 That the following amounts be now calculated by the Council for the financial year 2024/25 in accordance with Section 31 and Sections 34 to 36 of the Local Government Finance Act 1992:

(a)	£543,649,931	Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
(b)	£442,724,925	Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c)	£100,925,006	Being the amount by which the aggregate at 3.4 (a) above exceeds the aggregate at 3.4 (b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B(1) of the Act.
(d)	£1,731.15	Being the amount at 3.4(c) above (Item R), all divided by Item 3.3 above (Item T), calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year.

(e) Valuation Bands (Portsmouth City Council)

Α	В	С	D	E	F	G	Н
£	£	£	£	£	£	£	£
1,154.10	1,346.45	1,538.80	1,731.15	2,115.85	2,500.55	2,885.25	3,462.30

Being the amounts given by multiplying the amount at 3.4(d) above by the number which, in the proportion set out in Section 5 (1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36 (1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings in different valuation bands.

3.5 That it be noted that for the financial year 2024/25, the Hampshire Police & Crime Commissioner is consulting upon the following amounts for the precept to be issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below:

Valuation Bands (Hampshire Police & Crime Commissioner)

Α	В	С	D	E	F	G	Н
£	£	£	£	£	£	£	£
174.31	203.36	232.41	261.46	319.56	377.66	435.77	522.92

3.6 That it be noted that for the financial year 2024/25, for Hampshire and Isle of Wight Fire and Rescue Authority it is recommended that the following amounts for the precept issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below:

<u>Valuation Bands (Hampshire and Isle of Wight Fire and Rescue</u> Authority)

Α	В	O	D	Е	F	G	H
£	£	£	£	£	£	£	£
55.23	64.43	73.64	82.84	101.25	119.66	138.07	165.68

3.7 That having calculated the aggregate in each case of the amounts at 3.4(e), 3.5 and 3.6 above, the Council, in accordance with Sections 31A, 31B and 34 to 36 of the Local Government Finance Act 1992 as amended, hereby sets the following amounts as the amounts of Council Tax for the financial year 2024/25 for each of the categories of dwellings shown below:

Valuation Bands (Total Council Tax)

Α	В	С	D	E	F	G	Н
£	£	£	£	£	£	£	£
1,383.64	1,614.24	1,844.85	2,075.45	2,536.66	2,997.87	3,459.09	4,150.90

- 3.8 The Council determines in accordance with Section 52ZB of the Local Government Finance Act 1992 that the Council's basic amount of Council Tax for 2024/25, which represents a 4.99% increase, is not excessive in accordance with the principles approved by the Secretary of State under Section 52ZC of the Act; and it be noted that:
 - i) The 4.99% increase includes a 2.0% increase to support the delivery of Adult Social Care
 - ii) As the billing authority, the Council has not been notified by a major precepting authority (the Hampshire Police & Crime Commissioner or the Hampshire and Isle of Wight Fire and Rescue Authority) that its relevant basic amount of Council Tax for 2024/25 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK of the Local Government Finance Act 1992.
- 3.9 The S.151 Officer be given delegated authority to implement any variation to the overall level of Council Tax arising from the final notification of the Hampshire Police & Crime Commissioner and Hampshire and Isle of Wight Fire and Rescue Authority precepts.

9. Questions from Members under Standing Order No 17.

The first question was from Councillor Russell Simpson.

"Given the fact last November the HMO policy was discussed, in the local plan, can the Cabinet Member explain why Portsmouth has not been considered for the "5% HMO within a 50m radius policy" like Thanet District Council?"

This and supplementary questions were answered by the Cabinet Member for Planning Policy & City Development, Councillor Hugh Mason.

The Lord Mayor advised that the second question in the name of Councillor George Madgwick had been withdrawn from the agenda.

^[11] Council Tax increases beyond the referendum threshold can only be implemented following a "Yes" vote in a local referendum

^[2] Includes Retained Business Rates £42,006,006, "Top Up" £6,736,612, a surplus on the Collection Fund of £5,021,116 plus S.31 Grants of £17,143,417 for compensation due to national Government business rate relief initiatives

The third question was from Councillor Brian Madgwick.

"In the November 2022 Full Council meeting the Traffic and Transport department were asked to work on a plan on how they intend to start improving the roads/infrastructure in the north of the city. This was supported by a majority of members including all PIP, Conservative, Labour and Independent Councillors. It was asked all relevant ward councillors be consulted, with a report to be published before March 2023. Almost a year after the report was due, can we be updated on when to expect the report and what consultation requests for feedback have been requested from members representing northern wards?"

This and supplementary questions were answered by the Cabinet Member for Transport, Councillor Gerald Vernon-Jackson CBE.

The fourth question was from Councillor George Madgwick

"To bring more clarity and understanding to the general public and members, can the Licensing Chair bring a report forward to members on the differences between Wolverhampton Licensed PHVs and Portsmouth Licensed PHVs?"

This and supplementary questions were answered by the Chair of the Licensing Committee, Councillor Jason Fazackarley.

	3	•	
Lord Mayor	-		
Luiu Mavui			

The meeting concluded at 5.02 pm.